

# **13 FAM 140**

## **GENERAL TRAINING POLICIES AND PROCEDURES**

*(CT:TPD-001; 05-20-2004)*  
*(Office of Origin: FSI)*

### **13FAM 141 ENROLLMENTS IN TRAINING**

#### **13 FAM 141.1 Training Preparatory to Assignment**

*(CT:TPD-001; 05-20-2004)*  
*(Uniform State/USAID/Agriculture)*  
*(Civil Service and Foreign Service Employees)*

a. When Foreign Service employees require training in order to meet the language and other requirements of an onward assignment, the office of Career Development and Assignments (HR/CDA) will request the appropriate courses as part of the assignment process. HR/CDA will specify the training in the Assignment Notification Cable and Personnel Assignment Travel Authorization Cable or SF-50 personnel action authorizing the assignment. For USAID, the Personnel Operations Division (M/HR/POD) or Executive Management (M/HR/EM) will request the appropriate courses as part of the assignment and will specify the training in the assignment cable.

b. The procedure outlined in 13 FAM 142.1, paragraph a, applies to language and area training as well as to functional training such as tradecraft, political, public diplomacy, economic and consular, and administrative courses, etc. See 13 FAM 400 for additional regulations governing selection for language training for employees and 13 FAM 800 for family members. For USAID, see ADS 458, for policies and procedures related to language training for employees and family members.

c. Career-related training intended to prepare Civil Service employees for potential future assignments is normally planned for through an Individual Development Plan (IDP). Job-related training is normally scheduled after an employee has moved into a new assignment. Such training is subject to the approval of an employee's supervisor and bureau training officer.

## **13 FAM 141.2 Long Term Training**

*(CT:TPD-001; 05-20-2004)*

*(Uniform State/USAID/Agriculture)*

*(Civil Service and Foreign Service Employees)*

a. Long-term area and language training, like other types of combined language and area training, is arranged in conjunction with onward assignments. (See 13 FAM 400 for additional information on language training. For USAID see ADS 458.)

b. Other information on long-term training programs is contained in 13 FAM 100. For USAID see ADS 458.

## **13 FAM 141.3 Other Training**

*(CT:TPD-001; 05-20-2004)*

*(Uniform State/USAID/Agriculture)*

*(Civil Service and Foreign Service Employees)*

a. Information on other training for professional development is contained in 13 FAM 120. Enrollment procedures for other types of training, including short courses and seminars, early-morning language instruction, and correspondence and external courses, are set forth in 13 FAM 900 or in individual course announcements disseminated by the Foreign Service Institute (FSI) and/or the Career Development and Assignments Office (HR/CDA) through Department notices, telegrams to the Field, on FSI's OpenNet website, and other appropriate means.

b. For USAID, see ADS 458.

## **13 FAM 142 ASSIGNMENT OPTIONS FOR TRAINING**

### **13 FAM 142.1 Assignment/Detail of Civil Service Employees to Training**

*(CT:TPD-001; 05-20-2004)*

*(Uniform State/USAID/Agriculture)*

*(Civil Service Employees)*

Except as may be defined in an announcement for a specific training opportunity, Civil Service employees are only detailed to long-term training regardless of the length of the course.

## **13 FAM 142.2 Assignment/Detail of Foreign Service Employees to Training**

### **13 FAM 142.2-1 Training for Less than Six Months**

*(CT:TPD-001; 05-20-2004)*  
*(Uniform State/USAID/Agriculture)*  
*(Foreign Service Employees)*

If an employee's period of authorized training at any one location in the United States is expected to be less than six months, the employee will be detailed to the training location, provided that:

- (1) The training requires travel from the post of previous assignment; and/or
- (2) The training is linked to an onward assignment abroad.

### **13 FAM 142.2-2 Training for Six to Twelve Months**

*(CT:TPD-001; 05-20-2004)*  
*(Uniform State/USAID/Agriculture)*  
*(Foreign Service Employees)*

a. If an employee's period of training at any one location in the United States is expected to be from six to twelve months, the employee may either be detailed or assigned to training if:

- (1) The training is in language studies, is linked to an onward assignment abroad, and is conducted at a location that requires travel from the post of previous assignment; and/or
- (2) The training location is outside the Washington, DC metropolitan area and the employee's permanent duty station at the time is Washington, DC.

b. In all other cases involving training at any one location in the United States or abroad for a period expected to be from six to twelve months, the employee will be assigned to the training location and will not have the option of a detail to training.

### **13 FAM 142.2-3 Training in Excess of Twelve Months**

*(CT:TPD-001; 05-20-2004)*  
*(Uniform State/USAID/Agriculture)*  
*(Foreign Service Employees)*

If the period of training at any one location, whether in the United States or abroad, is expected to exceed 12 months, the employee will be assigned or detailed to the training location.

### **13 FAM 142.3 Assignment to a Training Institution**

*(CT:TPD-001; 05-20-2004)*  
*(Uniform State/USAID/Agriculture)*  
*(Foreign Service Employees)*

If an employee is assigned to training, per diem will not be authorized for the training period. Travel for the employee and dependents, as well as shipment of effects, from the place of current assignment to the training location and then on to the next post after completion of training will be authorized.

### **13 FAM 142.4 Detail to a Training Institution**

*(CT:TPD-001; 05-20-2004)*  
*(Uniform State/USAID/Agriculture)*  
*(Civil Service and Foreign Service Employees)*

a. If any employee is detailed to training, travel expenses for the employee's family members will not be authorized, nor will there be authorization for shipment or storage of effects. Employees detailed for long-term training will be authorized per diem in accordance with 6 FAM 153 and 155. If for any reason a detail is canceled before its scheduled completion, per diem will be paid only for the actual number of days the detail was in effect. In addition, travel and transportation for family members and effects to the next post of assignment will be authorized from the last post of assignment and not the training locality.

b. The last post of assignment remains the employee's permanent duty station. If that duty station is Washington, DC, and the next post of assignment requires training at the FSI or anywhere in the Washington metropolitan area, no per diem would be payable for the training period. Per Diem is not authorized at an employee's permanent duty station (see 6 FAM 155.1).

## **13 FAM 143 CONTINUED SERVICE AGREEMENT**

### **13 FAM 143.1 General**

#### **13 FAM 143.1-1 When Required**

*(CT:TPD-001; 05-20-2004)*

*(Uniform State/USAID/Agriculture)*

*(Civil Service and Foreign Service Employees)*

a. Employees selected for training for more than 80 hours at non-U.S. Government facilities must sign a Continued Service Agreement (Section G of Form SF-182 “*Request, Authorization, Agreement and Certification of Training*”). Employees may not proceed to training until they have signed the appropriate agreement.

b. A completed and signed Continued Service Agreement should be submitted along with other required training application forms to:

(1) For State, the FSI, Office of the Registrar;

(2) For USAID, the Personnel Operations Division (M/HR/POD), or Executive Management (EM), as appropriate.

c. While a copy (photocopy or FAX copy) is acceptable in the interim for processing and approval purposes, the original must be received in advance of the start of training and will be incorporated in the official personnel records of the employee.

#### **13 FAM 143.1-2 Nature of Agreement**

*(CT:TPD-001; 05-20-2004)*

*(Uniform State/USAID/Agriculture)*

*(Civil Service and Foreign Service Employees)*

a. The employee is required to agree to the following conditions:

(1) To continue in the service of the Department or the Agency after the end-of-training, unless involuntarily separated, for a period at least equal to three times the length of the training period if salaried during the period or equal to the length of training if unsalaried during the period, but in no case less than one month; and

(2) If separated before completion of the training or completion of the required period of continued service, to reimburse the Government the tuition and amount of the additional expenses incurred by the Department or the Agency in connection with such training, unless the employee is involuntarily separated from the service of the agency or otherwise is exempted as provided by this subchapter.

b. Time while on leave without pay does not count toward completion of the period of service required to comply with a continued service agreement unless the employee is on leave without pay for purposes of receiving payments under the Federal Employee's Compensation Act (i.e., Workers Compensation).

### **13 FAM 143.1-3 Reimbursement**

*(CT:TPD-001; 05-20-2004)*

*(Uniform State/USAID/Agriculture)*

*(Civil Service and Foreign Service Employees)*

If, under 13 FAM 143.1-1, reimbursement is required, reimbursement will cover such items as tuition and matriculation fees, library or laboratory service, typing and reproduction of papers, the purchase or rental of books, per diem, travel, and transportation expenses for the employee and family, and any other services and costs directly related to the training. It will not include salary or allowances for the period of training.

### **13 FAM 143.2 Transfer to Another Government Agency**

*(CT:TPD-001; 05-20-2004)*

*(Uniform State/USAID/Agriculture)*

*(Civil Service and Foreign Service Employees)*

a. An employee who plans to transfer to another U.S. Government agency before completion of training or before expiration of a Continued Service Agreement must submit a statement of intent to the Director General of the Foreign Service and Director of Human Resources (Department of State) or the Director, Office of Human Resources (for USAID) at least 10 days before the proposed effective date of the transfer.

b. The statement should be accompanied, if appropriate, by a certificate from the head of the agency, or a designee, to which the employee is transferring stating that the training received will be utilized in the employee's new position.

c. The Director General of the Foreign Service and Director of Human Resources (State Department) or the Director, Office of Human Resources (for USAID) will review the employee's statement and the certificate, if supplied, and will notify the employee before the end of the 10-day period that reimbursement either is or is not required. If the employee's training is judged not to be relevant to the position at the agency to which the employee wishes to transfer, reimbursement will be required.

d. In any case, exemption from reimbursement will be authorized only in cases where the transfer to another agency is without a break in service.

### **13 FAM 143.3 Waiver of Right of Recovery**

*(CT:TPD-001; 05-20-2004)*  
*(Uniform State/USAID/Agriculture)*  
*(Civil Service and Foreign Service Employees)*

The Director General of the Foreign Service and Director of Human Resources (State Department); or the Director, Office of Human Resources (for USAID); may waive in whole or in part the U.S. Government's right to recovery whenever recovery would not be in good conscience, or compatible with the public interest (see 13 FAM 144.3 Recovery of Funds).

### **13 FAM 143.4 Extension of Training Agreement**

*(CT:TPD-001; 05-20-2004)*  
*(Uniform State/USAID/Agriculture)*  
*(Civil Service and Foreign Service Employees)*

Any employee whose long-term training assignment is extended must agree to a proportionate extension of the employee's Continued-Service Agreement by submitting a new, signed form showing the amended dates of training.

## **13 FAM 144 DETERMINATION OF REPAYMENT AND RECOVERY OF FUNDS**

### **13 FAM 144.1 Determination of Repayment**

*(CT:TPD-001; 05-20-2004)*

*(Uniform State/USAID/Agriculture)*

*(Civil Service and Foreign Service Employees)*

a. When an employee fails to complete the training or the subsequent period of required service, it is the responsibility of the agency to determine whether repayment of the expenses incurred in connection with the training is required in full, prorated, or waived. (See 13 FAM 143.3 Waiver of Right of Recovery.) This responsibility includes determining what portion of the travel, transportation, and other expenses incurred are directly related to the training assignment.

b. The following officers serve as deciding officials and are responsible for determining and notifying the individual involved if there is an unfulfilled period of obligated service and whether recovery of funds action is warranted:

State	The Director General of the Foreign Service and Director of Human Resources (M/DGHR)
USAID	Director, Office of Human Resources (M/HR/OD)

### **13 FAM 144.2 Repayment/Waiver Review and Notification**

*(CT:TPD-001; 05-20-2004)*

*(Uniform State/USAID/ Agriculture)*

*(Civil Service and Foreign Service Employees)*

a. When an employee who has received training under the provisions of these regulations separates voluntarily, it will be determined whether there is an unfulfilled period of obligated service and, if such is the case, will be determined whether recovery action is warranted or, based on administrative review of the facts of the individual case, should be waived.



b. Repayment and recovery action is waived when an employee who has received training under the provisions of these regulations is involuntarily separated from the Department, except for cause. In the event an employee is removed for cause, it will be determined whether seeking recovery of funds may be against equity and good conscience or against the public interest.

c. The employee shall be notified in writing of the decision whether repayment is required or waived. A copy of any notification that requires repayment shall also be sent to the Chief of the Financial Services Division, Bureau of Resource Management (State Department) (RM/GFS/DFS). For USAID, such notification will be sent to the Central Accounting and Reporting Division, Office of Financial Management (M/FM/CAR), within 10 business days.

d. Upon receipt of a decision that repayment is required, if the employee or former employee feels that decision should be reconsidered, he or she has 10 workdays to submit, in writing, further information, explanation, or mitigating factors stating why he or she feels the repayment should be waived.

e. The Director General of the Foreign Service and Director of Human Resources (HR) (State Department) or the Director, Office of Human Resources (for USAID) (or designee), shall review reconsideration requests properly submitted and decide whether to uphold the original decision or waive repayment based on additional information provided.

f. When a determination has been made that a separating employee has an unfulfilled period of obligated service, HR/CDA or HR/CSP will inform the post or bureau processing the separation that the training indebtedness should be documented on Form DS-8, *Fiscal Clearance for Final Salary Payment*, under "Other Indebtedness".

### **13 FAM 144.3 Recovery of Funds**

(CT:TPD-001; 05-20-2004)

(Uniform State/USAID/ Agriculture)

(Civil Service and Foreign Service Employees)

a. Following a final decision that repayment is required, a copy of the notification requiring repayment is sent by the deciding official to the appropriate finance office for action:

State	Chief of the Financial Services Division (RM/GFS/DFS)
USAID	Central Accounting and Reporting Division, Office of Financial Management.

- b. The appropriate finance office will take action to collect the amount of repayment by withholding from any monies owed the employee or former employee by the Government, or through other methods allowable under the law.

## **13 FAM 145 THROUGH 149 UNASSIGNED**